

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

SANDRA CUNDIFF,)
)
Plaintiff,)
)
v.) No. 3:06-CV-437
) (GUYTON)
RODNEY D. POSTEL, Individually, and in)
his official capacity, BLOUNT COUNTY)
SHERIFF, JAMES BERRONG, Individually,)
and in his official capacity, and BLOUNT)
COUNTY,)
)
Defendants.)

O R D E R

For the reasons stated in the memorandum opinion filed contemporaneously with this order, it is **ORDERED** that the plaintiff's motion in limine [Doc. 31] is hereby **GRANTED in part**, to the extent that any evidence relating to the Plaintiff's blood-alcohol test results, the dismissed DUI charge, and Deputy Postel's subjective intentions or state of mind shall be excluded from evidence, and **DENIED in part**, to the extent that evidence of Plaintiff's guilty plea to Class D Felony evading arrest is relevant because of its preclusive effect and shall not be excluded. It is further **ORDERED** that the defendants' motions for summary judgment [Docs. 20, 22] are hereby **GRANTED**. Plaintiff's § 1983 claims are hereby **DISMISSED with prejudice**, while Plaintiff's state law claims are **DISMISSED without prejudice**. As there are no claims remaining, this case is hereby **DISMISSED**.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge